

**RECEIVED
CENTRAL FAX CENTER****OCT 13 2006**Attorney's Docket: 2003DE444Serial No.: 10/735,490Art Unit 1714Response to Restriction Requirement, Dated 10/03/2006**Remarks**

Applicant has amended the claims to more clearly recite what Applicant believes to be the invention. In claim 19, Applicant has now incorporated the copolymer as recited in claim 18 into claim 19, such that amended claim 19 is presented as an independent claim. It is believed that no new matter is introduced by this amendment and no additional search is required. The commissioner is authorized to charge Deposit Account 03-2060 for any additional claims added by this amendment.

The Examiner indicated that the application contains 3 groups of claims and requires that a restriction be made to one of the following inventions:

- I. Claims 1-17, drawn to a fuel composition (class 44, subclass 393)
- II. Claims 18 drawn to a copolymer of ethylene and vinyl ester (class 526, subclass 319)
- III. Claims 19-30, drawn to a method for improving the cold flow behavior of a middle distillate (class 44, subclass 393).

Applicant, under 35 U.S.C. §121, with traverse elects the claims of Group I for the prosecution on the merits of the invention, and Applicant notes that both the claims of Group I and Group III are in the same class and subclass and would expect that a search of both Groups I and III would not put any additional burden on the office. Claims of Group I and Group II are related as the process of use and the product. Applicant has withdrawn claim 18 (Group II) from consideration, but retains the right to resubmit claim 18 in a properly filed continuation application. If the search and examination of all the claims in the application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions" (MPEP 803).

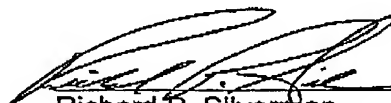
For the purposes of the examination on the merits, Applicant elects as a species the terpolymer referred to as terpolymer P8 in Table 1a (page 17) of Applicant's Specification. The terpolymer P8 comprises 42.5 wt-% ethylene, 20.2 wt-% vinyl acetate, 37.3 wt-% VeoVa (vinylneodecanoate).

**RECEIVED
CENTRAL FAX CENTER****OCT 13 2006**Attorney's Docket: 2003DE444Serial No.: 10/735,490Art Unit: 1714Response to Restriction Requirement, Dated 10/03/2006

It is respectfully submitted that, in view of the above remarks, the restriction requirement is now satisfied and the examination of this application on the merits can now proceed. If the Examiner has any remaining questions, the examiner may contact Applicant's representative. Accordingly, favorable reconsideration and an allowance of all pending claims are courteously solicited.

An early and favorable action is courteously solicited.

Respectfully submitted,



Richard P. Silverman
Registration No. 36,277
Agent for Applicants

(CUSTOMER NUMBER 25,255)
CLARIANT CORPORATION
INDUSTRIAL PROPERTY DEPARTMENT
4000 Monroe Road
Charlotte, NC 28205
Telephone: (704) 331-7156
Facsimile: (704) 331-7707